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page)*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

BROOKE CARDOZA, Individually and On  
Behalf of All Others Similarly Situated, et al.,

Plaintiffs,

v.

BLOOMIN' BRANDS, INC., et al.,

Defendants.

CASE NO. 2:13-cv-01820-JAD-(NJK)

**STIPULATION AND ~~[PROPOSED]~~ ORDER  
TO ALLOW LATE FILING OF CLAIM  
FORMS**

Action Filed: October 4, 2013

///

1 WHEREAS, on April 19, 2016, the Court entered the Order Granting Preliminary Approval  
2 of Class Settlement ("Preliminary Approval Order") (ECF No. 430);

3 WHEREAS, the Preliminary Approval Order requires that Settlement Class Members must  
4 complete and return an executed Claim Form to the Claims Administrator before the expiration of the  
5 Notice Period in order to receive a Settlement Payment (*id.* at 6-7);

6 WHEREAS, the Notice Period expired on September 6, 2016, ninety days from the first  
7 mailing date postmarked on the first Notice of Class Action Settlement mailed by the Claims  
8 Administrator;

9 WHEREAS, the Claims Administrator received forty-four (44) Claim Forms from Settlement  
10 Class Members postmarked after September 6, 2016; and,

11 WHEREAS, Plaintiffs have requested to treat the late-mailed Claim Forms as timely  
12 submitted so that those Settlement Class Members may receive a Settlement Payment.

13 THEREFORE, Plaintiffs and Defendants, by and through their undersigned counsel, stipulate,  
14 subject to approval of the Court, to deem the Claim Forms postmarked after September 6, 2016, and  
15 received by the Claims Administrator no later than October 7, 2016, as timely filed and eligible to  
16 receive a Settlement Payment provided that Class Counsel file all Consent to Join forms for late-filed  
17 Claim Forms within ten court days after receipt of an order granting this stipulation.

18 IT IS SO STIPULATED.

19  
20 Dated: October 11, 2016

WOLF, RIFKIN, SHAPIRO,  
SCHULMAN & RABKIN, LLP

21 By:

/s/ Justin C. Jones, Esq.

Don Springmeyer, Esq.  
Justin C. Jones, Esq.  
Bradley Schrager, Esq.  
3556 E. Russell Road, Second Floor  
Las Vegas, Nevada 89120

22 **IT IS SO ORDERED.**

23   
24 \_\_\_\_\_  
UNITED STATES DISTRICT JUDGE  
25 Dated: October 17, 2016.

*Attorneys for Plaintiffs*

1 Dated: October 11, 2016

GIBSON, DUNN & CRUTCHER LLP

2 By:

3 /s/ Sarah Zenewicz, Esq.

4 Theodore J. Boutrous, Jr., Esq.  
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*Attorneys for Defendants Bloomin' Brands,  
Inc.; OSI Restaurant Partners, LLC; Outback  
Steakhouse of Florida, LLC; OS Restaurant  
Services, LLC*

10  
11  
12 **ORDER**

13 The parties so stipulating and good cause appearing,

14 **IT IS SO ORDERED.**

15 Dated: \_\_\_\_\_

16 \_\_\_\_\_  
17 UNITED STATES DISTRICT COURT JUDGE